

ADC Policy related to imposition of Child Support Sanctions continues to cause questions from Local Office Staff and also causes some Audit exceptions. Following is a review of CSE Sanction policy & procedures which were first covered during Video Training in October, 2006:

468 NAC 2-019.04 Duties of Client: *The parent/needly caretaker relative, relative payee, guardian, conservator, or the minor parent of the child for whom aid is claimed is required to cooperate with Child Support Enforcement (unless good cause for refusing to do so is determined, see 468 NAC 2-019.05B2).*

468 NAC 2-019.05B3 (box) *This includes parents whose needs are not in the unit but who are in the home, such as an ineligible alien parent, convicted drug felon parent, etc.*

*The following individuals are required to cooperate with Child Support:*

***\*A parent who is:***

eligible for AABD (469 NAC 2-012)

an ineligible alien

ineligible due to a:

Drug felony conviction

Third Party Liability sanction

Intentional Program Violation sanction

Fleeing Felon

Social Security Number sanction

Misrepresenting Residence sanction

So, if Child Support determines there's been non-cooperation:

The SSW will receive an Alert advising that the custodial parent/caretaker has failed to cooperate with CSE.

The Eligibility Worker imposes the sanction for the first month possible, allowing for 10-day notice of adverse action.

468 NAC 2-019.05B3: *...the case manager must reduce the grant by 25 percent and remove the individual's needs from the medical unit.*

### **Child Support Sanctions on N-Focus**

Imposing a Child Support Sanction requires Case Maintenance action in N-FOCUS:

A Participant Action removes the responsible person from the grant-related Medicaid. When the Participant Action is completed and saved, N-FOCUS budgeting rules will reduce the Grant appropriately.

**Note:** *Leave the responsible (sanctioned) person in the ADC household to assure the appropriate Standard of Need and grant reduction.*

#### **Imposing a Person Sanction**

In the Expert System:

Double click on the "Participant Action" Task in Case Maintenance.

Select the benefit month the sanction is to be imposed.

Select the 'Close' button.

Select the participant that you want to close.

Select the specific program case from which you want to close the participant.

Select the closure reason of 'Sanctioned' and the Sanction reason of 'Child Support Enforcement'.

The Change HH Status to 'OUT'? will enable and entry is required. Select 'yes' only when the sanctioned person leaves the household.

If the person you are sanctioning is the Program Case Name, the Program Case Name list box will enable and entry will be required. The person can continue to be the Program Case Name.

If the benefit month selected to close is NOT the come-up month, the "Take Action for this month only?" Radio button will enable. Answer 'no' unless you are only applying the sanction for one retroactive month.

Select OK to add the sanction, or select next to close another participant.

(This Person Sanction action will also create the correct CSE non-cooperation Budget Sanction, i.e., the 25% reduction of the ADC Grant.)

#### **Budget Sanction**

**NOTE:** A Budget Sanction is used to impose a CSE non-cooperation reduction of the ADC Grant where the individual who has not cooperated isn't an ADC recipient, such as an ineligible alien parent, convicted drug felon parent, etc.

Double click on "Budget Sanction" task in Case Maintenance.

Select the 'Add' button.

Select the person for whom the Sanction is to be added.

Select 'CSE' as the 'Type of Sanction'.

Enter the begin date of the budgetary sanction.

If the budgetary sanction has been resolved, enter the end date. Otherwise, leave the end date blank.

Select OK to add the sanction.

#### **Run Configuration**

(Changes the responsible party to an Active FR in the ADC case)

#### **Run Budgeting**

(Review 'Budget Summary' to be sure the grant reduction is correct)

**NOTE:**

*If there is a parent in an AABD program case and the child support sanction is on that parent, close the AABD program case through Case Actions but do not add a Budget Sanction since the ADC grant would not be reduced by 25% in this situation.*

*If only the parent is in the ADC program case and the child(ren) are in AABD, close the ADC program case and leave the child(ren)'s AABD case(s) active.*

*If the parent is an undocumented immigrant or has a convicted drug felon sanction, use the Budget Sanctions task to add the sanction for the ineligible parent and the grant will be reduced 25%.*

*If the CSE Sanction is requested against a needy caretaker relative (an Aunt, Grandparent, etc. but not a parent), the appropriate action is to remove the sanctioned individual's need from the ADC unit and close the caretaker's Medicaid coverage. In this situation, the ADC Grant is not reduced by 25%, the needs of the individual are removed.*

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